

RECORDATION FORM COVER SHEET
PATENTS ONLYAttorney Docket Number
8484-0029-999TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
Box Assignment
Washington, DC 20231

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

FEB 04 1998
C8
Hanswalter Zentgraf, Claudia
Tessmer, Iris Velhager, Susanne
Schwinn, and Manfred FreyAdditional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies):

Name: Deutsches
Krebsforschungszentrum Stiftung
Des Öffentlichen RechtsAddress: Im Neuenheimer Feld 280D-69120 Heidelberg Germany

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: December 16, 1997,
October 15, 1997, December 16,
1997, December 16, 1997, December
16, 1997Country (if other than USA): Germany

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 08/913,139

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, NY 100366. Number of applications and patents involved: 17. Total fee (37 CFR 3.41):\$ 40.00
Please charge to the deposit account listed in Section 8.8. Deposit account number:
16-1150

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.**by: Dr. Reg. No 43,341**for: Laura A. Coruzzi Reg. No 30,742*February 9, 1998

Date

Laura A. Coruzzi
Name of Person Signing30,742
Reg. No.

Signature

Total number of pages including cover sheet:

4

ASSIGNMENT

WHEREAS, WE, Hanswalter ZENTGRAF, Claudia TESSMER, Iris VELHAGEN, Susanne SCHWINN, Manfred FREY, ASSIGNS, citizens of GERMANY, residing at Bluntschlistraße 6, D-69115 Heidelberg; Höhenstraße 23, D-74869 Schwarzach; Goestraße 14, D-68723 Schwetzingen; Robert-Bosch-Straße 14, D-68766 Hockenheim; Lessingstraße 12, D-68259 Mannheim are the inventors of the invention in ANTIBODIES ACTIVE AGAINST A FUSION POLYPEPTIDE COMPRISING A HISTIDINE PORTION for which we have executed an application for a Patent of the United States

- which is executed on even date herewith or _____ (date)
 which is identified by Pennie & Edmonds LLP docket no. 8484-029-999
 which was filed on , Application No.

and WHEREAS, Deutsches Krebsforschungszentrum Stiftung Des Öffentlichen Rechts, ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date <u>16. Dezember</u> , 1997	<u>H. Zentgraf</u>	L.S.
Date <u>15. Dezember</u> , 1997	<u>C. Tessmer</u>	L.S. *
Date <u>16. Dezember</u> , 1997	<u>Iris Velhagen</u>	L.S.
Date <u>16. Dezember</u> , 1997	<u>Susanne Schwinn</u>	L.S.
Date <u>16. Dezember</u> , 1997	<u>Manfred Frey</u>	L.S.

State of Germany)
 County of Ba-Wü.) SS.:
)

On this 16th day of December, 1997, before me, a Notary Public in and for the State and County aforesaid, personally appeared Hanswalter ZENTGRAF to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Notariat 2 Tzschaschel, Notar Notary Public.

State of GERMANY)
County of BAD - WÜRT.) SS.:

On this 15 day of October, 1997, before me, a Notary Public in and for the State and County aforesaid, personally appeared Claudia TESSMER to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and she acknowledged the same to be her free act and deed.



State of Germany)
County of Ba-Wü.) SS.:

On this 16th day of December, 1997, before me, a Notary Public in and for the State and County aforesaid, personally appeared Iris VELHAGEN to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and she acknowledged the same to be her free act and deed.

Notariat 2 Tzscheschel, Notar Notary Public



State of Germany)
County of Ba-Wü.) SS.:

On this 16th day of December, 1997, before me, a Notary Public in and for the State and County aforesaid, personally appeared Susanne SCHWINN to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and she acknowledged the same to be her free act and deed.

Notariat 2 Tzscheschel, Notar Notary Public



State of Germany)
County of Ba-Wü.) SS.:

On this 16th day of December, 1997, before me, a Notary Public in and for the State and County aforesaid, personally appeared Manfred FREY to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Notariat 2 Tzscheschel, Notar Notary Public



Unterschriftenbeglaubigung

Vorstehende Unterschriften der durch Bundespersonalausweise ausgewiesenen

1. Herrn Dr. Hanswalter **Zentgraf**
geb. am 02.02.1944
wohhaft Bluntschlistr. 6 in 69115 Heidelberg
2. Frau Iris Hilde **Velhagen**
geb. am 27.09.1964
wohhaft Goethestr. 14 in 68723 Schwetzingen
3. Frau Susanne **Schwinn**
geb. am 30.04.1970
wohhaft Neugärtenring 52 in 68766 Hockenheim
4. Herrn Manfred Dieter **Frey**
geb. am 31.05.1962
wohhaft Schulzenstr. 4 in 68259 Mannheim

wurden heute eigenhändig vor mir vollzogen und werden hiermit als echt öffentlich beglaubigt.

Heidelberg, den 16.12.1997
Notariat 2 Heidelberg

Tzschaschel, Notar

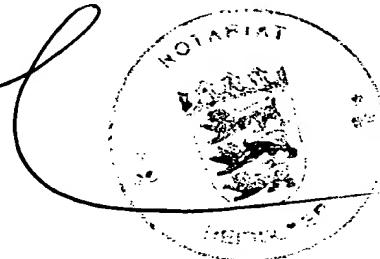
2 UR 6289/97

Die Kosten u. Umsatzsteuer sind
erhoben bei 2 UR

Heidelberg, den 16. Dez. 1997

Kostenbeamter

i.A.



DECLARATION
AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

ANTIBODIES ACTIVE AGAINST A FUSION POLYPEPTIDE COMPRISING A HISTIDINE PORTION

and for which a patent application:

- is attached hereto and includes amendment(s) filed on _____ (if applicable)
 was filed in the United States on _____ as Application No. _____ (for declaration not accompanying application)
 with amendment(s) filed on _____ (if applicable)
 was filed as PCT international Application No. PCT/DE96/00369 on March 1, 1996 and was amended under PCT Article 19 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
<u>195 07 166.2</u>	Germany	1 MAR 1995	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

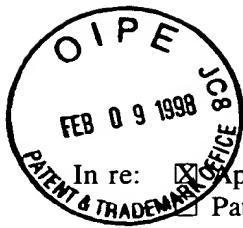
APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Joseph V. Colaianni (Reg. No. 20019), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebel (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Ann L. Gisolfi (Reg. No. 31956), Mark A. Farley (Reg. No. 33170), and James G. Markey (Reg. No. 31636), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO: <u>PENNIE & EDMONDS LLP</u> <u>1155 AVENUE OF THE AMERICAS</u> <u>NEW YORK, N.Y. 10036-2711</u>		DIRECT TELEPHONE CALLS TO: <u>PENNIE & EDMONDS LLP DOCKETING</u> <u>(212) 790-2803</u>			
2 0 1	FULL NAME OF INVENTOR	LAST NAME <u>ZENTGRAF</u>	FIRST NAME <u>Hanswalter</u>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <u>Heidelberg</u> <u>DEX</u>	STATE OR FOREIGN COUNTRY <u>Germany</u>	COUNTRY OF CITIZENSHIP <u>Germany</u>	
	POST OFFICE ADDRESS	STREET <u>Bluntschlistraße 6</u>	CITY <u>Heidelberg</u>	STATE OR COUNTRY <u>D-</u>	ZIP CODE <u>69115</u>
2 0 2	FULL NAME OF INVENTOR	LAST NAME <u>TESSMER</u>	FIRST NAME <u>Claudia</u>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <u>Schwarzach</u> <u>DEX</u>	STATE OR FOREIGN COUNTRY <u>Germany</u>	COUNTRY OF CITIZENSHIP <u>Germany</u>	
	POST OFFICE ADDRESS	STREET <u>Höhenstraße 23</u>	CITY <u>Schwarzach</u>	STATE OR COUNTRY <u>D-</u>	ZIP CODE <u>74869</u>
2 0 3	FULL NAME OF INVENTOR	LAST NAME <u>VELHAGEN</u>	FIRST NAME <u>Iris</u>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <u>Schwetzingen</u> <u>DEX</u>	STATE OR FOREIGN COUNTRY <u>Germany</u>	COUNTRY OF CITIZENSHIP <u>Germany</u>	
	POST OFFICE ADDRESS	STREET <u>Goestraße 14</u>	CITY <u>Schwetzingen</u>	STATE OR COUNTRY <u>D-</u>	ZIP CODE <u>68723</u>
2 0 4	FULL NAME OF INVENTOR	LAST NAME <u>SCHWINN</u>	FIRST NAME <u>Susanne</u>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <u>Hockenheim</u> <u>DEX</u>	STATE OR FOREIGN COUNTRY <u>Germany</u>	COUNTRY OF CITIZENSHIP <u>Germany</u>	
	POST OFFICE ADDRESS	STREET <u>Robert-Bosch-Straße 14</u>	CITY <u>Hockenheim</u>	STATE OR COUNTRY <u>D-</u>	ZIP CODE <u>68766</u>
2 0 5	FULL NAME OF INVENTOR	LAST NAME <u>FREY</u>	FIRST NAME <u>Manfred</u>	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <u>Mannheim</u> <u>DEX</u>	STATE OR FOREIGN COUNTRY <u>Germany</u>	COUNTRY OF CITIZENSHIP <u>Germany</u>	
	POST OFFICE ADDRESS	STREET <u>Lessingstraße 12</u>	CITY <u>Mannheim</u>	STATE OR COUNTRY <u>D-</u>	ZIP CODE <u>68259</u>
2 0 6	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201 - ZENTGRAF, Hanswalter <u>Hanswalter Zentgraf</u>	SIGNATURE OF INVENTOR 202 - TESSMER, Claudia <u>Claudia Tessmer</u>	SIGNATURE OF INVENTOR 203 - VELHAGEN, Iris <u>Iris Velhagen</u>
DATE <u>16.12.1997</u>	DATE <u>15.10.97</u>	DATE <u>16.12.1997</u>
SIGNATURE OF INVENTOR 204 - SCHWINN, Susanne <u>Susanne Schwin</u>	SIGNATURE OF INVENTOR 205 - FREY, Manfred <u>Manfred Frey</u>	SIGNATURE OF INVENTOR 206 <u></u>
DATE <u>16.12.1997</u>	DATE <u>16.12.1997</u>	DATE <u></u>



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: ZENTGRAF *et al.*
Patent of:

Application No.:
 Patent No.:

Group Art Unit: n/a

Filed: Herewith
 Issued:

Examiner: n/a

For: ANTIBODIES ACTIVE AGAINST A
FUSION POLYPEPTIDE COMPRISING A
HISTIDINE PORTION

Attorney Docket No.: 8484-029-999

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
[37 CFR 1.9(f) and 1.27(d)] - Nonprofit Organization

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of organization Deutsches Krebsforschungszentrum Stiftung Des Öffentlichen Rechts
Address of organization Im Neuenheimer Feld 280, D-69120 Heidelberg GERMANY

Type of organization

- University or other institution of higher education
 Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))
 Nonprofit scientific or educational under statute of state of the United States of America

(Name of state _____)
(Citation of statute _____)

- Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if located in the United States of America.

- Would qualify as nonprofit scientific or educational under statute of state of the United States of America if located in the United States of America

(Name of state _____)
(Citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled ANTIBODIES ACTIVE AGAINST A FUSION POLYPEPTIDE COMPRISING A HISTIDINE PORTION by inventor(s) ZENTGRAF, Hanswalter; TESSMER, Claudia; VELHAGEN, Iris; SCHWINN, Susanne; FREY, Manfred described in

- the specification filed herewith
 application no. filed
 patent no. issued

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization identified above and/or there is an obligation under contract or law by the inventor(s) to convey rights to the nonprofit organization identified above with regard to the invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME _____
ADDRESS _____

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT
ORGANIZATION

FULL NAME _____
ADDRESS _____

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT
ORGANIZATION

FULL NAME _____
ADDRESS _____

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT
ORGANIZATION

FULL NAME _____
ADDRESS _____

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT
ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28 (b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

Send correspondence to:

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, N.Y. 10036-2711

Direct Telephone calls to:
PENNIE & EDMONDS LLP
(212) 790-9090

Name of person signing Prof.Dr.med.Dr.h.c.mult.H.zur Hausen Dr.rer.pol. J. Puchta
Title of person other than owner Chairman a.Scient. Member of Adm. Member of the Management
Address of person signing Eichenweg a Board/ Eichenstr. 12a
69483 Waldmichelbach 69 198 Schriesheim
Signature  Date Oct. 8, 1997

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.
(37 CFR 1.27)